

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

NOV 09 2010
JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

LENA SMITH O/B/O JAMES B.)
SMITH,)
Plaintiff,) Case No. 2:09CV00038
)
) JUDGMENT
v.)
) By: James P. Jones
COMMISSIONER OF) United States District Judge
SOCIAL SECURITY,)
Defendant.)

It appearing that no objections have been timely filed to the Report filed October 15, 2010, setting forth the findings and recommendations of the magistrate judge, it is

ADJUDGED AND ORDERED as follows:

1. The Report and its findings and recommendations are wholly ACCEPTED and APPROVED;
2. The motions for summary judgment by the parties are DENIED;
3. The final decision of the Commissioner of Social Security is VACATED and this action is REMANDED to the Commissioner pursuant to the fourth sentence of 42 U.S.C. § 405(g) for further consideration in accord with the Report; and
4. The clerk will close this case.

ENTER: November 9, 2010



United States District Judge